

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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JOHN HANCOCK LIFE INSURANCE  
COMPANY, JOHN HANCOCK  
VARIABLE LIFE INSURANCE  
COMPANY, and MANULIFE  
INSURANCE COMPANY (f/k/a  
INVESTORS PARTNER LIFE INSURANCE  
COMPANY),

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendant.

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CIVIL ACTION NO. 05-11150-DPW

**PLAINTIFFS' ASSENTED TO MOTION FOR  
IMPOUNDMENT OF CONFIDENTIAL INFORMATION**

Pursuant to Local Rule 7.2, Plaintiffs John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Manulife Insurance Company (f/k/a/ Investors Partner Life Insurance Company) (collectively, "John Hancock" or "Plaintiffs") respectfully move this Court for leave to file the following documents under Seal until further Order of the Court:

1. Plaintiffs' Reply Memorandum In Support of Their Motion for Partial Summary Judgment on Count II of Their First Amended Supplemental Complaint (the "Memorandum");
2. Affidavit of Karen Collari Troake, dated September 11, 2007, with supporting exhibits (the "Affidavit").

The grounds for this motion are:

1. This action arises out of a certain Research Funding Agreement (the “Agreement”), dated March 13, 2001, between John Hancock and Abbott Laboratories (“Abbott”). The Agreement is, by its terms, confidential.
2. The Memorandum and Affidavit rely upon and discuss the confidential terms of the Agreement, and information designated as confidential by Abbott in this litigation.
3. The Agreement also forms the basis for John Hancock’s claims in the related action captioned *John Hancock Life Ins. v. Abbott Labs.*, No. Civ.A. 03-12501-DPW, 2005 WL 2323166 (D.Mass. Sept. 16, 2005), *aff’d* 478 F.3d 1 (1st Cir. 2006) (“*Hancock I*”).
4. The terms of the Agreement may not be disclosed without the prior consent of the non-disclosing party. Throughout this action, the Agreement has not been publicly disclosed.
5. In compliance with Local Rule 7.1(A)(2), John Hancock has sought and obtained the consent of Abbott to this Motion for Impoundment of Confidential Information.

WHEREFORE, John Hancock respectfully requests that the Memorandum and Affidavit be impounded until further Order of the Court. In addition, John Hancock respectfully requests that the Court accept these documents provisionally under Seal pending the Court’s ruling on this Motion. Upon termination of the impoundment period, John Hancock will retrieve and take custody of the Memorandum and Affidavit.

Respectfully submitted,

JOHN HANCOCK LIFE INSURANCE  
COMPANY, JOHN HANCOCK VARIABLE  
LIFE INSURANCE COMPANY AND  
MANULIFE INSURANCE COMPANY

By their attorneys,

/s/ Stacy L. Blasberg  
Brian A. Davis (BBO No. 546462)  
Joseph H. Zwicker (BBO No. 560219)  
Karen Collari Troake (BBO No. 566922)  
Stacy L. Blasberg (BBO No. 657420 )  
CHOATE, HALL & STEWART LLP  
Two International Place  
Boston, Massachusetts 02110  
Telephone: 617-248-5000

Date: September 11, 2007

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and that paper copies will be sent to those non-registered participants (if any) on September 11, 2007.

/s/ Stacy L. Blasberg  
Stacy L. Blasberg